

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 3:20-cr-105

vs.

DARYL ROBERT HARRISON, *et al.*,

District Judge Michael J. Newman

Defendants.

ORDER DENYING MOTION FOR BOND RECONSIDERATION (Doc. No. 54)

This criminal case is before the Court on Defendant Daryl Robert Harrison's motion for bond reconsideration. Doc. No. 54.

I.

On November 30, 2021, the Court heard oral argument on the merits of Defendant's motion for bond review. *See* Doc. No. 54 (Defendant's motion); Doc. No. 55 (Government's opposition memorandum). Present were attorneys Dwight Keller and Ryan Saunders on behalf of the Government and attorney Christopher Deal on behalf of Defendant. The Court also heard testimony from Secret Service Agent James R. Teuschl. The motion is premised on, among other arguments, the cancer diagnosis/treatment of Defendant's wife. Although the Court is sensitive to those medical concerns, the motion -- for the reasons stated below -- merits denial.

II.

A detention hearing "may be reopened" if the Court is presented with new information not known to movant at the initial detention hearing that has a "material bearing" on "whether there are conditions of release that will reasonably assure the appearance of such person as required and the safety of any other person and the community." 18 U.S.C. § 3142(f)(2)(B). A criminal

defendant may be detained pending trial “if a judicial officer ‘finds that no condition or combination of conditions will reasonably assure the appearance of the person as required and the safety of any other person and the community[.]’” *United States v. Stone*, 608 F.3d 939, 947 (6th Cir. 2010) (quoting 18 U.S.C. § 3142(e)). The Court reviews this matter *de novo* and in the interests of the justice. *See United States v. Watson*, 475 F. App’x 598, 599 (6th Cir. 2012).

First, the motion in this case appears moot given the agent’s testimony that Defendant will be arrested/detained by state officials, if released by this court, for his alleged failure to pay child support, among other pending charges. Assuming, *arguendo*, that the motion is not moot, the motion merits denial for the reasons previously stated on the record during the October 1, 2021 bond revocation hearing; to wit, Defendant’s travel out of state when prohibited to do so by his bond conditions; his failure to timely notify Pretrial Services, in Colorado, of his contact with law enforcement -- another violated bond condition; and his contact of case witnesses – a third violated bond condition.

III.

Accordingly, Defendant’s motion for bond consideration is **DENIED**. He shall remain detained pretrial.

IT IS SO ORDERED.

December 1, 2021

/s Michael J. Newman
Hon. Michael J. Newman
United States District Judge